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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,998	01/29/2002	Naoshi Matsuo	1359.1061	3115

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STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

HALIM, SAHERA

ART UNIT PAPER NUMBER

2157

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/057,998

Applicant(s)

MATSUO, NAOSHI

Examiner

Sahera Halim

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claim 2 has been cancelled.
2. Claims 1 and 3-11 are pending in the application.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 3-11 are rejected under 35 U.S.C. 102(e) as being anticipated by US. Pat. No. 6,609,106 to Robertson (hereinafter Robertson).

5. Regarding claim 1, Robertson teaches an information providing system, comprising: one or a plurality of user terminals (Fig. 1, numeral 50); a service providing server providing a service to the user terminal (Fig. 1, numeral 60, IS); and an information brokering server brokering information on contents of the service provided by the service providing server to the user terminal, wherein the information brokering server comprises (Fig. 1 numeral 70, Gift Registry Service):

an information brokering part receiving an information search request from the user terminal, and brokering corresponding information to the user terminal in

accordance with the search request; and a user access information control part notifying the service providing server of user access information generated by evaluating contents of access to the information brokering server by a user, based on an information search action by the user and contents of information brokered to the user (Fig. 30 and 41 and col. 18, line 34 – 45 and col. 19, lines 50 – 60; user sends search request and receives content of gift registry);

an information browsing environment detecting part detecting information on a configuration of the user terminal for browsing information at the user terminal; and an information editing part editing information provided by the service providing server in a data format suitable for presentation in the configuration of the user terminal based on the information on the configuration of the user terminal detected by the information browsing environment detecting part, wherein the information brokering part brokers the information edited by the information editing part to the user terminal (col. 13, line 7 – 32), and

the service providing server comprises: an incentive adjusting part adjusting contents of an incentive to be given to the user based on the user access information notified from the information brokering server, in a case of receiving an information providing a request from the user of the user terminal (col. 13, lines 1-35); and

an executing part receiving the information providing the request from the user and executing the service in accordance with the information providing the request according to the contents of the incentive (col. 13, line 1-35, incentive is modified according to the number of participating users).

6. As to claim 3, Robertson teaches the information providing system according to claim 2, wherein, in a case where text information can be presented at the user terminal, the information editing part conducts edition of incorporating banner advertisement in a part of the information provided by the service providing server (col. 13, line 1 – 34).

7. Reference to claim 4, Robertson teaches the information providing system according to claim 1, wherein the user access information control part in the information brokering server evaluates the contents of access to the information brokering server by the user, considering an information search history of the user and contents of user information included in the search request by the user (col. 18, line 34 – 57 and col. 22, line 59 – col. 23, line 18).

8. Regarding claim 5, Robertson teaches the information providing system according to claim 1, wherein the information brokered to the user terminal in the information brokering server contains main information and sub-information, the main information is retrieved based on the information search request from the user, and the sub-information is not retrieved based on the information search request from the user (col. 18, line 34 – 57 and col. 22, line 59 – col. 23, line 18).

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9. Reference to claim 6, Roberson teaches the information providing system according to claim 5, wherein, in a case where the user notifies the service providing server of an information providing request regarding the sub-information and an information providing request regarding the main information, the incentive adjusting part adjusts the contents of the incentive to be given to the user, based on the user access information and the information providing requests regarding the main information and the sub-information (col. 13, line 1-35).

10. Regarding claim 7, Roberson teaches the information providing system according to claim 5, wherein the information providing system comprises a plurality of information brokering servers, the main information corresponds to an information search request from the user, and the sub-information is provided by a service providing server other than a service providing server that provides the main information (col. 18, line 34 – 57 and col. 22, line 59 – col. 23, line 18, and Figs. 30 and 41).

11. As to claim 8, Roberson discloses the information providing system according to claim 1, wherein the incentive adjusting part adjusts the contents of the incentive to be given to the user, based on the user access information and an information providing request history of the user (col. 13, line 1-35).

12. Reference to claims 9, 10 and 11, claims 9 –11 are rejected under the same rationale as claim 1. Although claims 9 – 11 are not identical to claim 1, they do not further teach or differ over the limitations of claim 1.

Response to Arguments

13. Applicant's arguments filed September 26, 2005 have been fully considered but they are not persuasive.

The applicant argues that the new limitations added to claim 1 is not taught by the reference. Robertson teaches user customizes the format in which information is to be presented, the customizations options are stored as file on the server. The claim does not specifically state that the configuration and formatting are based on the "user capabilities" and therefore the customization options are interpreted to be the configuration and the information is presented to the user according to the user's preferences (ie. suitable format).

Conclusion

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP


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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Sahera Halim
Patent Examiner
AU: 2157

November 23, 2005


ARIO ETIENNE
PRIMARY EXAMINER